FRIEND & WALTON 1 A PROFESSIONAL LAW CORPORATION RANDALL K. WALTON, ESQ. (SBN: 155175) ANN MARIE FRIEND, ESQ. (SBN: 173473) 3 P.O. Box 830 Modesto, California 95353-0830 Telephone: (209) 238-0946 Facsimile: (209) 238-0953 4 5 Attorneys for Debtors, Johnny & Maryam Varda 6 UNITED STATES BANKRUPTCY COURT 7 EASTERN DISTRICT OF CALIFORNIA 8 9 MODESTO DIVISION 10 In re: Case No.: 09-92601-A-13 11 Chapter: 13 DC No.: FW:03 12 Johnny & Maryam Varda, Date: July 20, 2010 13 Time: 10:00 a.m. Place: 1200 I Street 14 Debtors. Second Floor 15 Modesto, CA DECLARATION IN SUPPORT OF MOTION TO SELL PERSONAL PROPERTY 16 We, Johnny & Maryam Varda, declare: 17 1. We are the debtors in the above-referenced case. we state 18 the following facts on our own personal knowledge and know 19 them to be true, except those facts stated on information 2.0 and belief, which facts we are informed and believe to be 21 true. 22. 2. We are requesting permission from the Court to sell our 23 T190 Bobcat. 24 3. We are asking \$25,000.00 for the property and believe that 25 this is a true and accurate fair market value for the 26 subject property in this area. 27

4. We have compared the price to similar vehicles in the area.

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5. The sale price is all cash.

- 6. Ronald L. Allred, PE of Allred Engineering is interested in purchasing the Bobcat and willing to wait for the Court's permission.
- 7. We owe nothing for the Bobcat and hold its title.
- 8. We are asking that we be able to retain the sale proceeds to put down \$12,500.00 cash for the bond we need to operate our business. The additional funds will be used to keep our Trustee payments current until we get the business back up to full pace.
- 9. We do not need the Bobcat to operate our business.
- 10. After close of the transaction, possession of the property will be turned over to the buyer and not before.
- 11. The sale is an arm's length transaction.

We declare under penalty of perjury that the foregoing is true and correct and if called as a witness we would testify competently thereto.

Executed on June 7, 2010 at Modesto, California.

<u>/s/ JOHNNY VARDA</u> Johnny Varda

/s/ MARYAM VARDA Maryam Varda